

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEWIS BOGGS, :  
Petitioner, :  
v. : Case No. 3:14-cv-34-KRG-KAP  
GERALD ROZUM, SUPERINTENDENT, :  
S.C.I. SOMERSET, :  
Respondent :  
:

Memorandum Order

Petitioner's petition for a writ of habeas corpus was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on January 5, 2017, ECF no. 21, recommending that the petition be denied. The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1) he had fourteen days to file written objections to the Report and Recommendation. After an extension of time, petitioner filed timely objections, ECF no. 24.

After *de novo* review of the record of this matter together with the Report and Recommendation and the timely objections thereto, the following order is entered:

AND NOW, this 29<sup>th</sup> day of March, 2017, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied. A certificate of appealability should not be issued unless the petitioner "has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:



KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Lewis Boggs JY-1181  
S.C.I. Mahanoy  
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Frackville, PA 17932